

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JAMAINE GAITOR,

Plaintiff,

v.

CITY OF BOSTON,
TALIA WRIGHT-RIVERA, and
WASCAR CASTILLO,

Defendants.

Civil Action No. 21-CV-12079-AK

VERDICT SLIP

Disparate Impact Race Discrimination

1. Did the City of Boston maintain a COVID-19 policy that had a disproportionate, adverse effect on black employees, which was not necessary to achieve an important business goal?

JTG 9:01 PM 10/30
YES

NO

Please proceed to Question 2.

Age Discrimination Based on Hostile Workplace

2. Was Jamaine Gaitor subjected to a hostile work environment based on age discrimination at the City of Boston's SOAR Program?

YES

JTG 2:10 PM 10/27
NO

Please proceed to Question 3.

3. Has Jamaine Gaitor proven that the City of Boston willfully subjected him to a hostile work environment based on age discrimination at the SOAR Program?

YES

JTG 2:14 PM 10/27
NO

Please proceed to Question 4.

Whistleblower Retaliation

4. Did the City of Boston retaliate against Jamaine Gaitor for his having sent the October 2020 letter regarding COVID-19 protocols or for otherwise complaining of the lack of COVID-19 protocols in place at SOAR?

JTG 10/31 11:21 PM
YES

NO

Please proceed to Question 5.

General Retaliation

5. Did the **City of Boston** retaliate against Jamaine Gaitor for complaining or objecting to the discriminatory treatment of older or disabled workers?

YES

NO

JTG 2:35pm 10/30

Please proceed to Question 6.

6. Did **Talia Wright** retaliate against Jamaine Gaitor for complaining or objecting to the discriminatory treatment of older or disabled workers?

YES

NO

JTG 2:58pm 10/29

Please proceed to Question 7.

7. Did **Wascar Castillo** retaliate against Jamaine Gaitor for complaining or objecting to the discriminatory treatment of older or disabled workers?

YES

NO

JTG 2:58pm 10/29

Please proceed to Question 8.

Aiding and Abetting

8. Did Wascar Castillo aid and abet the City of Boston and/or SOAR management in discriminating against Jamaine Gaitor?

YES

NO

JTG 2:43pm 10/30

Please proceed to Question 9.

Unlawful Interference

9. Did Wascar Castillo deliberately interfere with Jamaine Gaitor's right to be free from age discrimination and/or retaliation?

YES

NO

JTG 2:47pm 10/30

If your answer was "yes" to any of Questions 1-9 above, please proceed to Question 10. If your answer was "no" to all of Questions 1-9 above, proceed to Certification on the last page.

Damages

10. Did Jamaine Gaitor suffer any damages as a result of the Defendants' actions for which you answered "yes" above?

JTG 10/30 3:58 PM

YES

NO

If your answer was "yes" to Question 10 above, please proceed to Question 11. If your answer was "no," please proceed to Certification.

11. What amount—if any—will fully, fairly, and reasonably compensate Mr. Gaitor for the injuries found above?

Lost Wages:

\$ 23,000
(amount in figures)

fifty three thousand
(amount in words)

Emotional Distress:

\$ 70,000
(amount in figures)

Seventy thousand
(amount in words)

Punitive Damages (excluding consideration of age discrimination and Whistleblower retaliation):

\$ 0
(amount in figures)

zero

(amount in words)

Total Award: (Add together all above amounts)

\$ 173,000
(amount in figures)

One hundred twenty three thousand
(amount in words)

Certification

I hereby certify this is unanimous verdict of the twelve jurors.



Foreperson

Date: 10/31

Time: 11:30